

# **DISCLAIMER**

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## **APPLICATION OF**

**THE CITY OF BRISTOL**

**CASE NO. PUC-2002-00126**

**For a certificate of public convenience  
and necessity to provide local exchange  
telecommunications services and for  
interim operating authority**

## **HEARING EXAMINER'S RULING**

**October 2, 2002**

On September 27, 2002, the Virginia Cable Telecommunications Association ("VCTA") filed a Motion to Compel. In the Motion, VCTA requested that the Commission compel the City of Bristol d/b/a Bristol Virginia Utilities Board ("BVUB") to respond to certain data requests that VCTA propounded on September 13, 2002; specifically, Interrogatories 7, 8, 9, 10, 11, and 12.

On October 1, 2002, BVUB filed its Response wherein BVUB argues that it responded timely to interrogatories and document requests from the parties, and the Commission's Division of Communications (the "Staff"). BVUB states that it responded to VCTA's interrogatories with the best information available to it at the time of its response.

Having considered the Motion to Compel and the Response thereto, I find VCTA's Motion should be and it is hereby, granted. In its Response, BVUB stated that it supplied the "best information available to it at the time of its response." Generally, when better information becomes available, there is a continuing obligation to supplement one's responses to interrogatories. BVUB's response implies that it now has that information and it has not supplied it to VCTA. Accordingly,

**IT IS DIRECTED** that BVUB shall, on or before October 7, 2002, respond to VCTA's Interrogatories 7, 8, 9, 10, 11, and 12.

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Michael D. Thomas  
Hearing Examiner